

**REMARKS**

Applicants submit this Amendment in reply to the Office Action mailed March 6, 2006. In this Amendment, Applicants have amended claims 20 and 27 to more appropriately define their invention. Claims 20-28 are pending in the above-captioned application.

In the Office Action, the Examiner rejected claim 27 under 35 U.S.C. § 112, second paragraph. Further, the Examiner rejected claims 20, 21, 23-25, and 28 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,922,128 to Solomon (“Solomon”) in view of U.S. Patent No. 4,918,017 to Greenstreet et al. (“Greenstreet”); rejected claim 22 under 35 U.S.C. § 103(a) as being unpatentable over Solomon in view of Greenstreet and further in view of U.S. Patent No. 5,182,066 to Marin (“Marin”); rejected claim 26 under 35 U.S.C. § 103(a) as being unpatentable over Solomon in view of Greenstreet and further in view of U.S. Patent No. 4,673,540 to Portinari (“Portinari”); and rejected claim 27 under 35 U.S.C. § 103(a) as being unpatentable over Solomon in view of Greenstreet, further in view of Portinari, and further in view of an article titled “Extruding Plastic, *A practical processing handbook*” (Chapman and Hall, 1998) by Rosato (“Rosato”).

At the outset, Applicants note that claim 20 has been amended to recite a “plurality of sectors [that] define at least one pathway to direct the filtered composition to a central passage of the filter support plate.” Support for this amendment can be found in the Applicants’ specification at, for example, page 14, lines 30-33; page 15, line 18 through page 16, line 2; page 20, line 33 through page 21, line 15; and Figures 3a and 3b. Further, claim 27 has been amended to recite a “system of pulleys, gears, or

pulleys and gears configured to feed the at least one conducting element at a rate between 600 and 1500 m/min," as discussed in more detail below.

**Claim Rejection Under 35 U.S.C. § 112, Second Paragraph**

The Examiner rejected claim 27 under 35 U.S.C. § 112, second paragraph, for allegedly "failing to particularly point out and distinctly claim the subject matter which applicant [sic] regards as the invention." Office Action, page 2, ¶ 1. In particular, the Examiner contends that "[s]ubjecting the conducting element to a constant pull between 600 and 1500 m/min provides a process limitation, which does not further limit the apparatus being claimed and provides no additional structural limitation to the apparatus." Id. Although Applicants respectfully disagree with the Examiner's assertions, Applicants have amended this claim to recite, for example, a "system . . . configured to feed the at least one conducting element at a rate between 600 and 1500 m/min," in an effort to expedite prosecution of the above-captioned application.

(Emphasis added). Applicants note that the term "configure" is defined as "to design, arrange, set up, or shape with a view to specific applications or uses." Am. Heritage College Dictionary, 3d. Ed. (1997), p. 292. (See attached Exhibit A, emphasis added).

As such, the phrase "configured to feed" further defines the apparatus recited in claim 27. Accordingly, Applicants respectfully submit that the Examiner's rejection under 35 U.S.C. § 112, second paragraph, is moot in light of the amendment to claim 27.

Applicants therefore respectfully request that the Examiner withdraw the rejection under 35 U.S.C. § 112, second paragraph.

**Claim Rejections Under 35 U.S.C. § 103(a)**

Applicants traverse the Examiner's rejection of claims 20, 21, 23-25, and 28 under 35 U.S.C. § 103(a) as being unpatentable over Solomon in view of Greenstreet; the rejection of claim 22 under 35 U.S.C. § 103(a) as being unpatentable over Solomon in view of Greenstreet and further in view of Marin; the rejection of claim 26 under 35 U.S.C. § 103(a) as being unpatentable over Solomon in view of Greenstreet and further in view of Portinari; and the rejection of claim 27 under 35 U.S.C. § 103(a) as being unpatentable over Solomon in view of Greenstreet, further in view of Portinari, and further in view of Rosato. No *prima facie* case has been established.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

M.P.E.P. § 2142 (8th Ed., Rev. 3, August 2005), p. 2100-134.

A *prima facie* case of obviousness cannot be established for independent claim 20, for example, because, among other things, none of Solomon, Greenstreet, Marin, Portinari, Rosato, nor their combination, teach or suggest each and every feature of Applicants' claims. None of these references, or their combination, teach, for example, a "plurality of sectors [that] define at least one pathway to direct the filtered composition

to a central passage of the filter support plate,” as recited in amended claim 20.

(Emphasis added).

The Examiner concedes that “Solomon . . . does not teach the presence of a filter support plate nor a filtration unit in conjunction with the breaker plate.” Office Action, page 3, ¶ 2. Nevertheless, the Examiner contends that “Greenstreet et al. teach the use of a screen assembly or filter support plate provided with slotted flow passages, such that the flow passages are parallel to the inlet direction of the composition to be filtered (figures 17 and 18; column 3, lines 20-25, 30-35).” Id. at ¶ 2. (Emphasis added).

Greenstreet, however, teaches that “[a]ll of the embodiments discussed above provide a screen assembly which provides a plurality of elongated slots formed by a plurality of spaced rigid metal ribs.” Col. 8, lines 46-48. Moreover, Greenstreet discloses that “[t]he slots formed between the spaced ribs . . . [are shaped] to provide sufficient flow space for the elastomeric material” (col. 8, line 66 through col. 9, line 1), and thus, material flows through slots 85/86. Neither the slots nor any other portion of support member 80, however, directs flow towards circular central hole 87. Accordingly, Greenstreet fails to teach or suggest a “plurality of sectors [that] define at least one pathway to direct the filtered composition to a central passage of the filter support plate,” as recited in amended claim 20. (Emphasis added).

Therefore claim 20 is not unpatentable over the combination of Solomon and Greenstreet. Additionally, claims 21, 23-25, and 28 are allowable at least due to their dependence from claim 20.

Further, Marin, Portinari, and Rosato also fail to teach or suggest the claimed "plurality of sectors [that] define at least one pathway to direct the filtered composition to a central passage of the filter support plate," as recited in amended claim 20. Indeed, the Examiner does not even rely on Marin, Portinari, or Rosato for teaching sectors that provide a pathway for a filtered composition. Thus, Marin, Portinari, and Rosato fail to overcome the above-noted shortcomings of Solomon and Greenstreet, and claims 22, 26, and 27 are allowable at least due to their dependence from claim 20.

**Conclusion**

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Attached: Exhibit A, American Heritage College Dictionary, 3d. Ed. (1997), page 292.